

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE ENROLLED ACT No. 1730

AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 4-23-28 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 28. Commission on Hispanic/Latino Affairs

Sec. 1. As used in this chapter, "commission" refers to the commission on Hispanic/Latino affairs established by section 2 of this chapter.

Sec. 2. The commission on Hispanic/Latino affairs is established.

Sec. 3. (a) The commission shall do the following:

- (1) Identify and research issues affecting the Hispanic/Latino communities.
- (2) Promote cooperation and understanding between the Hispanic/Latino communities and other communities throughout Indiana.
- (3) Report to the legislative council and the governor concerning Hispanic/Latino issues, including the following:
 - (A) Conditions causing exclusion of Hispanics/Latinos from the larger Indiana community.
 - (B) Measures to stimulate job skill training and related workforce development.
 - (C) Measures to sustain cultural diversity while improving race and ethnic relations.



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(D) Public awareness of issues affecting the Hispanic/Latino communities.

(E) Measures that could facilitate easier access to state and local government services by Hispanics/Latinos.

(F) Challenges and opportunities arising out of the growth of the Hispanic/Latino population.

(b) The commission may study other topics:

(1) as assigned by the governor;

(2) as assigned by the legislative council; or

(3) as directed by the commission's chairperson.

Sec. 4. (a) The commission consists of twenty (20) members appointed as follows:

(1) Two (2) members of the senate who may not be affiliated with the same political party, to be appointed by the president pro tempore of the senate.

(2) Two (2) members of the house of representatives who may not be affiliated with the same political party, to be appointed by the speaker of the house of representatives.

(3) Four (4) members of the Hispanic/Latino community who are not members of the general assembly, to be appointed by the president pro tempore of the senate.

(4) Four (4) members of the Hispanic/Latino community who are not members of the general assembly, to be appointed by the speaker of the house of representatives.

(5) The secretary of family and social services or a designee of the secretary who is a Hispanic or Latino employee of the office of the secretary of family and social services.

(6) The commissioner of the state department of health or a designee of the commissioner who is a Hispanic or Latino employee of the state department of health.

(7) The state superintendent of public instruction or a designee of the superintendent who is a Hispanic or Latino employee of the department of education.

(8) The commissioner of the department of correction or a designee of the commissioner who is a Hispanic or Latino employee of the department of correction.

(9) The director of the civil rights commission or a designee of the director who is a Hispanic or Latino employee of the civil rights commission.

(10) The director of the department of commerce or a designee of the director who is a Hispanic or Latino employee of the department of commerce.

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(11) A Hispanic or Latino business person, appointed by the governor.

(12) The commissioner of workforce development or a designee of the commissioner who is a Hispanic or Latino employee of the department of workforce development, who shall serve as an ex officio member of the commission.

In making their appointments under this section, the president pro tempore of the senate and the speaker of the house of representatives shall attempt to have the greatest possible number of counties represented on the commission.

(b) If a legislative member of the commission ceases to be a member of the chamber from which the member was appointed, the member also ceases to be a member of the commission.

(c) A member of the commission may be removed at any time by the appointing authority who appointed the member.

(d) If a vacancy on the commission occurs, the appointing authority who appointed the former member whose position has become vacant shall appoint an individual to fill the vacancy.

Sec. 5. (a) The commission shall meet on call of the chairperson and at other times that the commission determines.

(b) The chairperson may designate subcommittees to meet between commission meetings and report back to the full commission.

Sec. 6. (a) At the first meeting of the commission each year, the members shall elect:

- (1) one (1) member to be the commission's chairperson; and
- (2) one (1) member to be the commission's vice chairperson.

(b) A vacancy in the office of chairperson or vice chairperson shall be filled by a member of the commission selected by vote of the remaining members. The term of office of a person chosen under this subsection to fill a vacancy in the office of chairperson or vice chairperson expires at the first meeting of the commission the following year.

Sec. 7. (a) The department of workforce development shall provide staff and administrative support to the commission.

(b) The expenses of the commission shall be paid from appropriations made to the department of workforce development.

Sec. 8. The affirmative votes of a majority of the members appointed to the commission are required for the commission to take action on any measure, including final reports.

Sec. 9. (a) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by

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IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

Sec. 10. (a) Funding for the commission shall be derived from funds appropriated to the department of workforce development.

(b) If money is appropriated under subsection (a), the money does not revert to the state general fund at the end of a state fiscal year but remains available to the department of workforce development until the purpose for which it was appropriated is fulfilled.

Sec. 11. (a) The commission on Hispanic/Latino affairs special fund is established to provide money for special projects of the commission.

(b) The fund shall be administered by the treasurer of state.

(c) Expenses of administering the fund shall be paid from money in the fund.

(d) The fund consists of gifts, contributions, and money donated to the commission.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(f) Interest accrues to the fund.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(h) Money in the fund is appropriated continuously for the

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purpose stated in subsection (a).

SECTION 2. IC 2-5-27 IS REPEALED [EFFECTIVE UPON PASSAGE].

SECTION 3. **An emergency is declared for this act.**

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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